

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
)
v.) No.: 16-cr-10305-NMG
)
MARTIN GOTTESFELD)

DEFENDANT'S MOTION REGARDING INDICTMENT

The defendant Martin Gottesfeld (“Mr. Gottesfeld”) objects to the jury receiving the indictment. The defense recognizes the Court’s standing practice of providing a copy of the indictment to the jury; nonetheless, Mr. Gottesfeld objects as the indictment unduly reinforces the prior independent determination of legal cause by a similarly constituted body of lay citizens. The government’s proffered redactions do not cure this problem.

Further, as the indictment is not evidence, the jury should not be allowed to consider it.

Finally, Mr. Gotteseld objects under to the submission of the indictment under the due process clause of the 5th Amendment.

Respectfully submitted,
MARTIN GOTTESFELD
By his attorney:

/s/ David J. Grimaldi

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DATE: July 30, 2018

CERTIFICATE OF SERVICE

I, David J. Grimaldi, hereby certify that true copies of this motion were served on all registered participants in this matter via ECF this 30th day of July 2018.

/s/ David J. Grimaldi

David J. Grimaldi